

E-01575A-15-0127



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**ORIGINAL**

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

**Investigator:** Jenny Gomez

**Phone:**

AZ CORP COMMISSION

DOCKET CONTROL

**Fax:**

**Priority:** Respond Within Five Days

2015 MAY 12 AM 8 58

**Opinion**

**No.** 2015 - 122335

**Date:** 5/11/2015

**Complaint Description:**

08A Rate Case Items - Opposed

N/A Not Applicable

**First:**

**Last:**

**Complaint By:**

Diane

Viewing

**Account Name:**

Diane Viewing

**Home:** (000) 000-0000

**Street:**

**Work:**

**City:**

Benson

**CBR:**

**State:**

AZ

**Zip:** 85602

**is:**

**Utility Company:**

Sulphur Springs Valley Electric Cooperative, Inc.

**Division:**

Electric

**Contact Name:**

**Contact Phone:**

**Nature of Complaint:**

DOCKET NO. E-01575A-15-0127 OPPOSE

-----Original Message-----

From: DoNotReply@azcc.gov [mailto:DoNotReply@azcc.gov]

Sent: Saturday, May 09, 2015 7:35 AM

To: Utilities Div - Mailbox; IT Prod Alerts

Subject: Public Comment Form

diane viewing

Arizona Corporation Commission

**DOCKETED**

MAY 12 2015

DOCKETED BY

LC

WE JUST INSTALLED A NEW SYSTEM WITH SOLAR CITY, AND THEY WERE NOT INFORMED OF THIS RATE CHANGE. THIS IS GROSSLY UNFAIR. WHAT SHOULD WE DO, HAVE THE SYSTEM REMOVED?

\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Noted and filed for the record in Docket Control.

Staff contacted consumer and she would like her opinion docketed. Closed

\*End of Comments\*

**Date Completed:** 5/11/2015

**Opinion No.** 2015 - 122335

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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E-01575A-15-0127

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

**Investigator:** Jenny Gomez

**Phone:**

**Fax:**

**Priority:** Respond Within Five Days

**Opinion No.** 2015 - 122334

**Date:** 5/11/2015

**Complaint Description:** 08A Rate Case Items - Opposed  
N/A Not Applicable

**First:**

**Last:**

**Complaint By:** Jim

Hawthorne

**Account Name:** Jim Hawthorne

**Home**

**Street:**

**Work:**

**City:** Sierra Vista

**CBR:**

**State:** AZ Zip: 85650

**Is:** E-Mail

**Utility Company:** Sulphur Springs Valley Electric Cooperative, Inc.

**Division:** Electric

**Contact Name:**

**Contact Phone:**

**Nature of Complaint:**

DOCKET NO. E-01575A-15-0127 OPPOSE  
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Re: Docket Number E-01575A-15-0127

This is a complaint against SSVEC's unfair, arbitrary and discriminatory retroactive change to net metering rules in its jurisdiction.

SSVEC's changes are in direct opposition to their previous policies and practices in regard to net metering, and violate our previous agreement with SSVEC.

Please see the attached MS Word Document.

Thank you for your consideration,

Jim Hawthorne

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Arizona Corporation Commission

Chairman Susan Bitter-Smith

Re: Docket No. E-01575A-15-0127

We write to state our firm opposition to SSVEC's proposed exemption from the current rules governing net metering on the grounds outlined below.

We installed our 24-PV panel rooftop array in March 2014 at an out of pocket cost of over \$20,000 and after two discussions with SSVEC management personnel. During these discussions with SSVEC, the desirability and cost-effectiveness of net metering were fully explained to us. We were convinced by SSVEC that residential solar was an environmentally responsible, cost-effective option that also benefited small business and employment in the State of Arizona. In addition, they explained that by becoming involved in the production of solar energy, we would also be helping SSVEC to reach their solar quota.

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

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At no time was there any hint that the basic structuring of the program would be reviewed or changed in the future! On the contrary, SSVEC was enthusiastic about our participation in the program, and we were assured that residential solar as it was structured was fully supported and endorsed by the Co-operative.

Acting in good faith, we signed the required documentation and entered into a contractual agreement with SSVEC shortly thereafter. Our system went online on March 28, 2014.

In mid April 2015, SSVEC sent out a notification of "proposed" changes to the rules, policies and procedures concerning our net-metering contract. Contrary to what SSVEC's management personnel had discussed with us, and contrary to the assurances we had been given, the notice instituted radical and retroactive changes to SSVEC's net metering rules and policies. This was accomplished without discussion, forewarning, or public hearings. SSVEC's notice also failed to include a docket # or any details as to what action members opposed to the proposal could take. Furthermore, the notice that went out to residential solar providers did not specify the actual rules or regulations from which SSVEC is requesting exemption.

In fact, SSVEC's "proposal" was not really a bona-fide proposal at all, as SSVEC arbitrarily, unilaterally, and without any consultation or discussion whatsoever instituted the "proposed" changes within days of mailing out the notice.

To retroactively institute a rule change of this magnitude in this way is, if not wholly illegal, then at best unethical, anti-democratic, discriminatory, anti-small business, contrary to the universally recognized principles of honest business practices, and runs contrary to the spirit of any Co-operative Utility democratically constituted and obliged to act in the best interests of all its members. This is no way for a co-operative partnership to act!

We are also opposed to the proposed 20-year grandfather provision, as nothing was told to us regarding any such time-limiting provision when we met with SSVEC before installing our residential system in March 2014. This provision runs contrary to our long-term interests, as it would leave us with an aging, impossible to service on-roof system of ever decreasing value as the grandfather time period decreases. The actions of SSVEC have thus actually decreased my property valuation, and will increasingly do so as time advances.

SSVEC's proposal effectively guts and destroys the residential solar industry in our region of Arizona, and will have a negative impact on employment in the State, and in my own community. With the residential solar industry gutted and destroyed, who will be available to maintain and service residential solar arrays and their component parts? Already, 95 employees of Solar City have been relocated out of the State of Arizona, and more are likely to follow. Many other solar suppliers and installers are in a similar state of disarray. It would appear that SSVEC is attempting to convert solar power generation in our region of Arizona into a monopoly by squeezing out the very homeowners, businesses and innovators that were instrumental in demonstrating the viability and dependability of solar as an alternative energy source. SSVEC is proving itself to be an extremely poor corporate citizen in this regard.

The SSVEC net metering notice reads, "Today, not everyone is paying their fair share, which is why it is important to discuss this net metering issue." We take exception to this incorrect and misleading statement.

SSVEC seems to have forgotten that while we are indeed producers of electrical energy, we are also very much consumers, and as such are paying the exact same basic service fee as non-solar customers! We are also paying that same residential tariff per kWh delivered as non-solar customers.

SSVEC's attempt at a rate shift in their application begs the question of just who is and who is not, "Paying their fair share". Are residential customers paying their fair share relative to commercial and industrial customers? Are rural customers paying their fair share relative to urban customers? Are part-time Arizona residents paying their fair share?

Our rooftop installation is part and parcel of SSVEC's grid. It was installed and is being maintained at our expense, without costing SSVEC one cent. Under the terms of the contract we signed in good faith in early

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

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2014, and by SSVEC's own reckoning, we entered into the program realistically expecting a 7-10 year payback. If SSVEC's exemptions are granted, we can expect a similar system to ours to have a payback period extending out as far as 30-40 years. The overall R.O.I. is similarly drastically reduced and fatally extended. This effectively destroys any incentive for residential solar in the State of Arizona.

Therefore, we respectfully request:

"grandfather provision" in the SSVEC proposal so that solar installations can continue under the current net metering rules as was previously endorsed and agreed to by SSVEC;

2. That the ACC consider the proposal that SSVEC has submitted in Docket No.: E-01575A-15-0127 to be unfair and discriminatory to the solar customers that have invested a lot of money out of pocket in order to be environmentally responsible citizens making a considerable contribution to the economy and employment of the State of Arizona;

3. That the ACC move to turn the SSVEC proposal into a rate case instead of a change in the net metering agreement. If SSVEC cannot cover the costs of doing business under their current rate charges, then, the rates should be raised across their customer base. Two percent of their customers should not be penalized for being environmentally responsible.

4. That the ACC expedite their review of Docket No.: E-01575A-15-0127. The fact that SSVEC has already instituted the radical and unfair policies and practices contained in their proposal has already had a negative impact on the residential solar industry in the State of Arizona. This is a clear example of a situation wherein "Justice Delayed" will certainly result in "Justice Denied".

Thank you for your consideration.

Sincerely submitted,

Jim and Kathy Hawthorne

\*End of Complaint\*

#### **Utilities' Response:**

#### **Investigator's Comments and Disposition:**

Noted and filed for the record in Docket Control.

\*End of Comments\*

**Date Completed: 5/11/2015**

**Opinion No. 2015 - 122334**

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